Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Wolfe Air Park, located on Frey Road approximately 200 meters from the intersection of Hal McLain Road and Frey Road, Manvel, Brazoria County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: April 24, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$1,494

Amount Deferred for Expedited Settlement: \$0 Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$1,494 **Total Due to General Revenue:** \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - N/A Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002 and April 2014

Investigation Information

Complaint Date(s): N/A **Complaint Information:** N/A

Date(s) of Investigation: November 3, 2014 through November 14, 2014

Date(s) of NOE(s): November 14, 2014

Violation Information

- 1. Failed to submit a Disinfectant Level Quarterly Report ("DLQOR") to the Executive Director ("ED") each quarter by the tenth day of the month following the end of the quarter [30 Tex. Admin. Code § 290.110(e)(4)(A) and (f)(3)].
- 2. Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data [30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)].
- 3. Failed to provide public notification and submit a copy of the public notification to the ED regarding the failure to conduct routine coliform monitoring [30 Tex. ADMIN. CODE § 290.122(c)(2)(A) and (f)].
- 4. Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the ED by the tenth day of the month following the end of the monitoring period [30 Tex. Admin. Code § 290.117(c)(2)(B) and (D) and (i)(1)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days:
- i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs;

- ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2014 to each bill paying customer and make good faith effort to deliver the CCR to non-bill paying customers;
- iii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility, including but not limited to providing public notification regarding the failure to conduct routine coliform monitoring; and
- iv. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future lead and copper tap samples are collected, analyzed by an approved laboratory, and the results reported to the ED within ten days following the end of each monitoring period.
- b. Within 45 days:
- i. Submit written certification of compliance with a.; and
- ii. Submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data.
- c. Within 60 days, submit written certification of compliance with b.ii.
- d. Within 90 days:
- i. Begin submitting DLQORs to the ED each quarter by the tenth day of the month following the end of the quarter. This provision will be satisfied upon two consecutive quarters of compliant reporting.
- ii. Begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the ED within ten days of the month following the end of the monitoring period. This provision will be satisfied upon two compliant monitoring periods.
- e. Within 285 days, submit written certification of compliance with d.i.
- f. Within 470 days, submit written certification to demonstrate compliance with d.ii.

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEO Enforcement Coordinator: Larry Butler, Enforcement Division,

Enforcement Team 3, MC 169, (512) 239-2543; Candy Garrett, Enforcement Division,

MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: John Heitz, President, WOLFE AIRPARK CIVIC CLUB, INC., P.O. Box

941, Manvel, Texas 77578

Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

\$977

Policy Revision 4 (A)	pril 2014)		PCW Revision M	1arch 26, 2014
TCEQ DATES Assigned	17-Nov-2014			
PCW		EPA Due 31-Mar-2013		
RESPONDENT/FACILI	WOLFE AIRPARK CIVIC CLUB, INC.			
Reg. Ent. Ref. No.				
Facility/Site Region		Major/Minor Source	Minor	
CASE INFORMATION	140600		<u> </u>	
Enf./Case ID No.	2014-1735-PWS-E	No. of Violations Order Type		
	Public Water Supply	Government/Non-Profit		
Multi-Media		Enf. Coordinator		
			Enforcement Team 3	
Admin. Penalty \$ I	Limit Minimum \$50 Maximum	\$1,000		************
	Donalty Calculat	tion Continu		
	Penalty Calculat			
TOTAL BASE PENA	ALTY (Sum of violation base penalt	ies)	Subtotal 1	\$850
ADJUSTMENTS (+	/-) TO SUBTOTAL 1			
Subtotals 2-7 are ob	btained by multiplying the Total Base Penalty (Subtotal 1)) by the indicated percentage.		
Compliance Hi	story 15.0%	Enhancement Subto	otals 2, 3, & 7	\$127
Notes	Enhancement for three NOVs with san	no/cimilar violation		
Notes	Limancement for timee NOVS with Sair	rie/similar violations.		
e. 11.*154	N		J	
Culpability	No 0.0%	Enhancement	Subtotal 4	\$0
Notes	The Respondent does not meet the	culpability criteria.		
			_	
Good Enith Eff.	art ta Cassalu Tatal Adinatasanta		* 12 · 1 · 1 · 1	
Good Faith En	ort to Comply Total Adjustments		Subtotal 5	\$0
Economic Bene		Enhancement*	Subtotal 6	\$0
Estimated	Total EB Amounts \$1,033 *Capped 1 Cost of Compliance \$1,083	at the Total EB \$ Amount		
	2 1 2 2		***************************************	
SUM OF SUBTOTAL	LS 1-7		inal Subtotal	\$977
OTHED EVELODE V	AS JUSTICE MAY REQUIRE	0.0%		
	Subtotal by the indicated percentage.	0.098	Adjustment	\$0
Notes				
				+
		Finai Pei	nalty Amount	\$977
STATUTORY LIMIT	Γ ADJUSTMENT	Final Asse	ssed Penalty	\$977
			<i>'\ >'\</i> '''''\	7
DEFERRAL		0.0% Reduction	Adjustment	\$0
Reduces the Final Assessed Pe	enalty by the indicated percentage. <i>(Enter number only; e</i>	e.g. 20 for 20% reduction.)	1	
Notes	No deferral is recommended for F	indings Ordors		
Notes	ino deferral is recommended for F	mungs orders.		

Docket No. 2014-1735-PWS-E

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Respondent WOLFE AIRPARK CIVIC CLUB, INC.

Case ID No. 49689

Reg. Ent. Reference No. RN101230720

Media [Statute] Public Water Supply

Enf. Coordinator Alan Barraza

Compliance History Worksheet

	ry Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.	
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	3	15%	
	Other written NOVs	0	0%	
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%	
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%	
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%	
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%	
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%	
Emissions	Chronic excessive emissions events (number of events)	0	0%	
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%	
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%	
	Ple	ease Enter Yes or No	7	
	Environmental management systems in place for one year or more	No	0%	
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
	Participation in a voluntary pollution reduction program	No	0%	
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
	Adjustment Per	rcentage (Sub	total 2) [15
eat Violator (Subtotal 3)		_	
N/A	Adjustment Per	rcentage (Sub	total 3)	0
npliance Histo	ry Person Classification (Subtotal 7)			
N/A	Adjustment Per	rcentage (Sub	total 7)	0
npliance Histo	rry Summary		_	
Compliance History Notes	Enhancement for three NOVs with same/similar violations.			
l Compliance H	Total Compliance History Adjustment Percentage (S distory Adjustment Final Adjustment Percent		_	15

Screening Date			. 2014-1735-PWS-E		PCW
	WOLFE AIRPARK CIVIC CL	UB, INC.			evision 4 (April 2014)
Case ID No. Reg. Ent. Reference No.				PCW Rev	ision March 26, 2014
Media [Statute]					
Enf. Coordinator	Alan Barraza				
Violation Number Rule Cite(s)				····	
Rule Cite(s)	30 Tex. Ad	lmin. Code § 290.110(e))(4)(A) and (f)(3)		
	Failed to submit a Disinfe	ctant Level Quarterly On	erating Report ("DLOOP	") to the	
Violation Description	Everytive Director each a				
Violation Description	the quarter. Specifically,		submit the DLQOR for th	e second	
		quarter of 2014.			
	L.			السنسس	
			Base	Penalty	\$1,000
>> Environmental, Prope	rty and Human Healt	h Matrix			
Release	Harm Major Moderate	Minor	***************************************		
OR Actua		e Minor			
Potentia			Percent 0.0%		
>>Programmatic Matrix					-
Falsification	Major Moderate	e Minor			
: ::::::::::::::::::::::::::::::::::::	X		Percent 5.0%		1
F					11-1111111-1111111
Matrix	100% of the ru	ile requirements were no	ot met.		
Notes					-
<u> </u>	: .			+050	
		P	(djustment	\$950	
					\$50
Violation Events					
			—	•	
Number of	Violation Events 1	91	Number of violation d	ays	
· ·	daily				
	weekly				
mark only one	monthly quarterly	_	Violation Base	Popalty	\$50
with an x	semiannual		Violation base	Penancy	,500
	annual				
Annaharana	single event x				
				1	
	One sing	le event is recommended			
Good Faith Efforts to Com			R	eduction	\$0
*	Before NOE/NO Extraordinary	OV NOE/NOV to EDPRP/Settle	ement Offer		
	Ordinary		=		
	N/A X	(mark with x)	<u></u>		
	The Respo	ndent does not meet the	good faith criteria for		
	Notes	this violation.	- 1		

***************************************			Violation 5	Subtotal	\$50
Economic Benefit (EB) for	this violation		Statutory Limit	Test	
Estimat	ed EB Amount	\$33	Violation Final Penal	ty Total	\$58
	This vi	olation Final Assessed	l Penalty (adjusted fo	r limits)	\$58

Case ID No. Reg. Ent. Reference No.	WOLFE AIRPA 49689 RN101230720		***********************	Wo	rksheet		
Media Violation No.	Public Water S	Supply				Percent Interest	Years of Depreciation
violation ito:	1					5.0	15
Item Description		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	 	<u> </u>		0.00	\$0	\$0	\$0
Land		1 2 11 2014	3F 4 3046	0.00	\$0	1/8	\$0
Record Keeping System	\$45	3-Nov-2014	25-Apr-2016	1.48	\$3	n/a	\$3
Training/Sampling	\$100	3-Nov-2014	25-Apr-2016	1.48	\$7	n/a	\$7
Remediation/Disposal Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs	employee tra	ining to ensure th	at the self-repo	nt to up ting re	pdate the Facility's equirements are p	s operational guidan roperly accomplished cord review date to	ce and conduct d, including the
					mpliance.	cord review date to	the estimated
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterii	ng item (except	for one-time avoid	led costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$22	30-Jun-2014	10-Jul-2014	0.00	\$0	\$22	\$22
Other (as needed)		<u></u>		0.00	\$0	\$0	\$0
Notes for AVOIDED costs	The avoided				prepare and subm timeframe the re	nit DLQORs (\$22 per eport was due.	report x one
Approx. Cost of Compliance		\$167			TOTAL		\$33

PCW		Screening Date	
Revision 4 (April 201			
evision March 26, 20.	The state of the s	Case ID No.	
		nt. Reference No.	
		Media [Statute]	
		Enf. Coordinator	I
		Violation Number	
	30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)	Rule Cite(s)	
	Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data. Specifically, the Respondent did not mail or directly deliver the CCR to the bill paying customers nor did the Respondent submit the CCR or the required certification to the TCEQ for the years 2011 through 2013.	Violation Description	Vi
\$1,00	Base Penalty		
	ty and Human Health Matrix	ronmental Broner	> Enviro
	Harm	viimentai, riopei	~ Eliviio
		Release	
	Harry Hingini Baras (1956) Marinana	Actual	OR
	Percent 0.0%	Potential	
	M	rammatic Matrix	>Progra
	Major Moderate Minor	Falsification	
	Percent 5.0%		
		Hall 1887 1887 1887 1887	
	100% of the rule requirements were not met	Matrix	М
	100% of the rule requirements were not met.	Notes	N
	Adjustment +0E0		
	Adjustment \$950		
\$5			

		ı Events	olation B
	Violation Events 3 Number of violation days	Number of \	
\$15	daily weekly monthly quarterly semiannual annual Single event weekly Violation Base Penalty Violation Base Penalty	mark only one with an x	
	Three single events are recommended.		
\$		th Efforts to Comp	od Faith
	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary		
	Ordinary		
	N/A x (mark with x)		
	Notes The Respondent does not meet the good faith criteria for this violation.		
\$15	Violation Subtotal		
, ==	Name of the state	c Benefit (EB) for	onomic
\$17	ed EB Amount \$222 Violation Final Penalty Total		
		Latinate	
\$173	This violation Final Assessed Penalty (adjusted for limits)		

Respondent	l., 1	conomic	Benefit	Wo	rksheet		
	\$2000000000000000000000000000000000000	200000000000000000000000000000000000000					
Case ID No.							
Ent. Reference No.							
	Public Water S						Years of
Violation No.	3	арріу				Percent Interest	Depreciation
violation ito.							~00000000000000000000000000000000000000
						5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings		14.1		0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System		ļ		0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal		ļ		0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs							
Avoided Costs	ANNILAI	iže (11) svojdos				or one-time avoid	
Disposal	AMMOAL	rr [1] avoided	CUSIS DEIDIE (0.00	so \$0		
			 	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Personnel				0.00			\$0 \$0
Personnel tion/Reporting/Sampling						⊅ ∪ 1	
Personnel tion/Reporting/Sampling Supplies/Equipment			1000			40	
tion/Reporting/Sampling				0.00	\$0	\$0 \$0	\$0
tion/Reporting/Sampling Supplies/Equipment	\$191	1-Jul-2012	18-Nov-2014			\$0 \$0 \$191	
Personnel				0.00	\$0	\$0	¢.

Screening Date 18-Nov-2014 Docket No. 2014-1735-PWS-E	PCW
	Revision 4 (April 2014)
	Revision March 26, 2014
Reg. Ent. Reference No. RN101230720	
Media [Statute] Public Water Supply	
Enf. Coordinator Alan Barraza	
Violation Number 3	1
Rule Cite(s) 30 Tex. Admin, Code § 290.122(c)(2)(A) and (f)	
Violation Description Failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to conduct routine coliform monitoring for the month of January 2012.	
Base Penalty	\$1,000
>> Environmental, Property and Human Health Matrix	
Harm	
Release Major Moderate Minor	
Potential Principle Princi	
>>Programmatic Matrix	***************************************
Falsification Major Moderate Minor Percent 5.0%	***************************************
	1
Matrix 100% of the rule requirements were not met.	***************************************
Notes Notes	***************************************
Adjustment \$950	***************************************
Aujustilient \$500	
	\$50
Violation Events	2000
Number of Violation Events 31 Number of violation days	harman
dally	
weekly monthly	
mark only one quarterly Violation Base Penalty	\$50
semiannual	
annual	
single event x	
One single event is recommended.	
Good Faith Efforts to Comply 0.0% Reduction	\$0
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary	······································

Ordinary (mark with x)	
N/A (mark with x)	***************************************
Notes The Respondent does not meet the good faith criteria for	
this violation.	
Violation Subtotal	\$50
Economic Benefit (EB) for this violation Statutory Limit Test	
Estimated EB Amount \$31 Violation Final Penalty Total	\$58
This violation Final Assessed Penalty (adjusted for limits)	\$58

Respondent Case ID No. eg. Ent. Reference No. Media Violation No.	49689	RK CIVIC CLUB, I	NC.				
eg. Ent. Reference No. Media	RN101230720	·			And the second second		
Media							
Media							
		unnly					Years of
Violation No.		арріу			:	Percent Interest	Depreciation
	,						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment		The infinite section		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
				0.00			1
Record Keeping System				0.00	\$0	n/a	\$0
Record Keeping System Training/Sampling	\$100	3-Nov-2014	29-Aug-2015	0.82	\$4	n/a n/a	\$0 \$4
	\$100	3-Nov-2014		0.82	\$4 \$0		
Training/Sampling	\$100	3-Nov-2014	29-Aug-2015	0.82	\$4 \$0 \$0	n/a n/a n/a	\$4
Training/Sampling Remediation/Disposal				0.82 0.00 0.00 0.00	\$4 \$0 \$0 \$0	n/a n/a n/a n/a	\$4 \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs	The delayed procedure ca	d cost includes th s, guidance, trair lculated from the	e estimated amo ning and/or over date of the reco	0.82 0.00 0.00 0.00 ount to sight to ord rev	\$4 \$0 \$0 \$0 implement impro- pensure that all priew to the estimat	n/a n/a n/a	\$4 \$0 \$0 \$0 lity's process e provided,
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	The delayed procedure ca	d cost includes th s, guidance, trair lculated from the	e estimated amo ning and/or over date of the reco	0.82 0.00 0.00 0.00 ount to sight to ord rev	\$4 \$0 \$0 \$0 implement improduces that all priving to the estimating item (except \$0	n/a n/a n/a n/a n/a vements to the Faci ublic notifications ar sed date of compliar for one-time avolutions \$0	\$4 \$0 \$0 \$0 lity's process e provided,
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed procedure ca	d cost includes th s, guidance, trair lculated from the	e estimated amo ning and/or over date of the reco	0.82 0.00 0.00 0.00 ount to sight to ord rev enterin 0.00 0.00	\$4 \$0 \$0 \$0 implement impro- o ensure that all priew to the estimat the item (except 1 \$0 \$0	ri/a 11/3 11/6 11/6 11/6 11/6 vements to the Faci ublic notifications ar led date of compliar for one-time avoid \$0 \$0	\$4 \$0 \$0 \$0 lity's process e provided, ice. ded costs) \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Dection/Reporting/Sampling	The delayed procedure ca	d cost includes th s, guidance, trair lculated from the	e estimated amo ning and/or over date of the reco	0.82 0.00 0.00 0.00 0.00 ount to sight to ord rev enterin 0.00 0.00 0.00	\$4 \$0 \$0 \$0 implement improvement that all prices to the estimate that all prices that all pri	n/a 11/2 11/2 11/2 11/2 vements to the Faci ublic notifications ared date of compliar for one-time avoid \$0 \$0 \$0	\$4 \$0 \$0 \$0 lity's process e provided, ice. ded costs) \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Dection/Reporting/Sampling Supplies/Equipment	The delayed procedure ca	d cost includes th s, guidance, trair lculated from the	e estimated amo ning and/or over date of the reco	0.82 0.00 0.00 0.00 0.00 0.01 0.01 0.00 0.00 0.00 0.00	\$4 \$0 \$0 \$0 implement improvement that all priew to the estimates ### State of the company of t	n/a n/a n/a n/a vements to the Faci ublic notifications ar red date of compliar for one-time avoid \$0 \$0 \$0 \$0 \$0	\$4 \$0 \$0 \$0 lity's process the provided, tote. \$0 \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	The delayed procedure ca	d cost includes the standard from the local teach that the local teach teach the local teach teach teach the local teach	e estimated amoing and/or over date of the recocosts before	0.82 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$4 \$0 \$0 \$0 so implement improvo ensure that all priew to the estimates \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a n/a vements to the Faci ublic notifications ar red date of compliar for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 \$0 \$0 \$0 lity's process re provided, nce. ded costs) \$0 \$0 \$0 \$0
Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/Equipment	The delayed procedure ca	d cost includes th s, guidance, trair lculated from the	e estimated amo ning and/or over date of the reco	0.82 0.00 0.00 0.00 0.00 0.01 0.01 0.00 0.00 0.00 0.00	\$4 \$0 \$0 \$0 implement improvement that all priew to the estimates ### State of the company of t	n/a n/a n/a n/a vements to the Faci ublic notifications ar red date of compliar for one-time avoid \$0 \$0 \$0 \$0 \$0	\$4 \$0 \$0 \$0 lity's process e provided, ace. ded costs) \$0 \$0 \$0

Respondent Work AJRAPAC CIVIC CLUB, INC. Resp. Cht. Reference No. Resp. Cht. Reference No. Resp. Cht. Reference No. Media (Statutz) Public Water Supply Enf. Coordinator Agin Barrazo Violation Number Rule Cite(s) Falled to collect lead and copper tap sample, at the required five sample auton, have the sample auton, have the sample and the montroing period. Specifically, it was documented that the Respondent did not collect the required field and copper samples for the annual reduced monitoring periods. Specifically, it was documented that the Respondent did not collect the required field and copper samples for the January 1, 2011 through December 31, 2014 annual reduced monitoring periods. Sase Penalty St. 1,000 Percent Percent Sase Penalty St. 1,000 Percent Fallure to collect lead and copper samples could expose pensons served by the Facility to undetected contaminents which would exceed levels protective of human health. Matrix Release Major Moderate Minor Percent Sasturation Fallure to collect lead and copper samples could expose pensons served by the Facility to undetected contaminents which would exceed levels protective of human health. Rumber of Violation Events Rumber of Violation E	PCW		Screening D
Red Statute Public Water Supply		40.000	
Media Statute Public water supply Enf. Coordinator Ann Barraze Violation Number Ann Barraze Violation Number Ann Barraze Violation Number Ann Barraze Violation Number Ann Barraze Ann Barraze Violation Description Falicio to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the monitoring period. Specifically, it was documented that the Respondent during the monitoring period. Specifically, it was documented that the Respondent during the monitoring period. Specifically, it was documented that the Respondent during the monitoring period. Specifically, it was documented that the Respondent during the monitoring period. Base Penalty S1,000	evision March 26, 2014	3 · · · · · · · · · · · · · · · · · · ·	
Second Faith Efforts to Comply			
Violation Number Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2)(8) and (i)(1) Fallec to collect lead and copper lap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the threat day of the month following the end of the monitoring period. Specifically, it was documented that the Respondent did not collect the required lead and copper samples for the January 1, 2011 through December 31, 2014 annual reduced monitoring periods. **Base Penalty** State S			
Rule Cite(s) 30 Tex. Admin. Code § 290.117(c)(2)(8) and (i)(1) Falled to collect lead and copper lap samples at the required fine samples sites, have the samples analyzed at an apprived behaviory, and submit the results to the Executive Director by the Lenth day of the month following the end of the monitoring period. Specifically, it was decumented that the Respondent did not collect the required lead and copper samples for the January 1, 2011 through December 31, 2014 annual reduced mankering periods. **Base Penality** S1,000			
Failure to collect lead and copper samples for the Tallor beautiful period of the monitoring period. Specifically, these documented that the Respondent did not collect the required lead and copper samples for the Tallor following the end of the monitoring period. Specifically, these documented that the Respondent did not collect the required lead and copper samples for the Tallor Period December 31, 2014 annual reduced monitoring periods. **September 15,000 **			
the samples analyzed at an approved aboratory, and submit the results to the Executive Director by the tenth day of the month following the end of the monitoring period. Specifically, it was documented that the Respondent did not collect the required lead and copper samples for the January 1, 2011 through December 31, 2014 annual reduced monitoring periods. **Base Penalty** \$1,000 **Seminormental** **Property** and Human Health Matrix** **Harm** **Release** Major** Moderate** Minor** Moderate** Moderate		30 Tex. Admin. Code § 290.117(c)(2)(B) and (i)(1)	
Violation Description Executive Director by the tenth day of the month following the end of the monitoring period. Specifically, it was documented that the Respondent did not collect the required lead and copper samples for the January 1, 2011 through December 31, 2014 annual reduced monitoring periods. Base Penalty			
period. Specifically, twas documented that the Respondent did not collect the required lead and copper samples for the hausury 1, 2011 through December 31, 2014 annual reduced monitoring periods. Base Penalty \$1,000 **Percent 15,0% **Percent 15,0% **Programmatic Matrix Release Major Moderate Minor Percent 0.0% **Programmatic Matrix Release Major Moderate Minor Percent 0.0% **Notes Programmatic Matrix Release Major Moderate Minor Percent 0.0% **Actual Percent 0.0% **Actual Percent 0.0% **Adjustment 5850 **Adjustment 5850 **Yiolation Events **Number of Violation Events 4 1460 Number of violation days **Violation Events 1460 Number of violation days **September 1460 Number of violation Base Penalty 5600 **September 1460 Number of violation Base Penalty 0.0% **Four annual events are recommended.** **George Four annual events are recommended.** **Four annual events are rec		the samples analyzed at an approved laboratory, and submit the results to the	
Required lead and copper samples for the January 1, 2011 through December 31, 2014 annual reduced monitoring periods.			Violation Descrip
Sase Penalty \$1,000		II .	
Sase Penalty \$1,000			
Programmatic Matrix Release Major Moderate Minor Actual Potential X Percent 15.0% >> Programmatic Matrix Faisification Major Moderate Minor Percent 0.0% Matrix Faisure to collect lead and copper samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health **Notes** Number of Violation Events** Number of Violation Events** Number of Violation Events* Number of Violation Base Penalty \$600 Extraordinary* Ordinary Notes* The Respondent does not meet the good faith criteria for this Violation. Violation Subtotal \$500 Economic Benefit (EB) for this violation \$5000 Economic Benefit (EB) for this violation \$5000			
Actual Notes	\$1,000	Base Penalty [
Actual Notes		rty and Human Health Matrix	>> Environmental Pro
Percent 15.0% >> Programmatic Matrix Falsification Major Moderate Minor Percent 0.0% Matrix Notes Fallure to collect lead and copper samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health. **Adjustment** **SSO** **Violation Events** Number of Violation Events 4 1460 Number of violation days **January Weekly Moderate Minor Percent 0.0% **Violation Events** Number of Violation Events 4 1460 Number of violation days **January Weekly Weekly Weekly Moderate Minor Penalty 5600 **Joint Events** Four annual events are recommended. **Good Faith Efforts to Camply 0.0% **Before NOP/NOV INDE/NOV to EDPRE/Settlement Offer Extraordinary Ordinary N/A Winark with x) Notes The Respondent does not meet the good faith criteria for this violation. **Violation Subtotal 5600 **Economic Benefit (EB) for this violation 5748 Violation Final Penalty Total 5690			L
Potential x Percent 15.0% >> Programmatic Matrix Falshcation Major Moderate Minor Percent 0.0% Matrix Fallure to collect lead and copper samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health. Adjustment \$850 \$150 Violation Events Number of Violation Events 4 1460 Number of violation days distributed in the programmatic Matrix with an x and painting annual x single event \$100 Number of violation Base Penalty \$100 Number of violation Penalty \$1		Major Moderate Minor	
Sprogrammatic Matrix Falsification Major Moderate Minor Percent 0.0% Matrix Fallure to collect lead and copper samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health. **Adjustment** **Spool*** **Spool*** **Percent** **Ones** **Adjustment** **Spool** **Adjustment** **Spool** **Spool** **Adjustment** **Spool** **Spool** **Spool** **Spool** **Spool** **Percent** **Ones** **Adjustment** **Spool** **Spool** **Spool** **Percent** **Ones** **Adjustment** **Spool** **Spo			
Falsification Major Moderate Minor Percent 0.0% Matrix Notes Fallure to collect lead and copper samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health. Adjustment \$850 \$150 Violation Events Number of Violation Events 4 1460 Number of violation days Violation Base Penalty \$600 mark only one with an x served when an exercise the served person of the served person		Percent 15.0%	Pote
Falsification Major Moderate Minor Percent 0.0% Matrix Notes Fallure to collect lead and copper samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health. Adjustment \$850 \$150 Violation Events Number of Violation Events 4 1460 Number of violation days Violation Base Penalty \$600 mark only one with an x served when an exercise the served person of the served person			
Percent		Major Moderate Minor	
Matrix Notes Failure to collect lead and copper samples could expose persons served by the Facility to undetected contaminants which would exceed levels protective of human health. **Adjustment** **S850* **Violation Events** Number of Violation Events 4 1460 Number of violation days **Diagram of Violation Events 4 1460 Number of violation days **Diagram of Violation Events 5 1460 Number of violation days **Diagram of Violation Base Penalty 5 1460 Number of Violation Penalty Number of Violation Subtotal 5 1460 Number			Talsinea
Notes undetected contaminants which would exceed levels protective of human health. \$850		0.070	<u> </u>
Notes undetected contaminants which would exceed levels protective of human health. \$850			
Statutory Limit Test		and the second of the second o	1
Violation Events Number of Violation Events 4 1460 Number of violation days dally weekly mark only one with an x ankel single event 5 Four annual events are recommended. Four annual events ar		etected contaminants which would exceed levels protective or human health.	Notes
Violation Events Number of Violation Events 4 1460 Number of violation days dally weekly mark only one with an x ankel single event 5 Four annual events are recommended. Four annual events ar			L
Number of Violation Events Number of Violation Events		Adjustment \$850	
Number of Violation Events Number of Violation Events	¢150	Г	
Number of Violation Events 4 1460 Number of violation days daily weekly monthly quarterly semiannual annual x single event	\$130		
Comparison of the comparison			Violation Events
Comparison of the comparison			
Weekly		Violation Events 4 1460 Number of violation days	Numbe
Weekly		Asilo	
### Wildlation Base Penalty \$600			
Good Faith Efforts to Comply Extraordinary Ordinary N/A Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal Statutory Limit Test Estimated EB Amount \$600 Semiannual X \$600 Seconomic Benefit (EB) for this violation Violation Base Penalty \$600 \$600 \$600 \$0 \$0 \$0 \$0 \$0 \$			
Semiannual annual single event Four annual events are recommended. Four annual events are recommended. Four annual events are recommended. \$0 Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690	\$600		
Four annual events are recommended. Four annual events are recommended. Four annual events are recommended. Sometimes to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690	4000		with an
Four annual events are recommended. Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X		arinual x	
Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690		single event	
Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690			L
Good Faith Efforts to Comply Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690			
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690		a there is a first pour annual events are recommended.	
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690			L
Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690	\$0	nolv 0.0% Reduction	Good Faith Efforts to 0
Ordinary N/A		······································	
N/A X (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690		Extraordinary	
Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$600		Ordinary Communication of the	
Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690		N/A (mark with x)	
Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690			
Violation Subtotal \$600 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690		NOTESI	
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690		uns yorauon.	
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$748 Violation Final Penalty Total \$690			
Estimated EB Amount \$748 Violation Final Penalty Total \$690	\$600	Violation Subtotal	
Estimated EB Amount \$748 Violation Final Penalty Total \$690		r this violation Statutory Limit Toet	Economic Renefit (FR)
		Statutory Entite Test	avanivnine venerit (EU)
This violation Final Assessed Penalty (adjusted for limits) \$690	\$690	ted EB Amount \$748 Violation Final Penalty Total	Est
inis violation Final Assessed Penalty (adjusted for limits) \$690	1600	This violation Final Assessed Boundary (-divistance of the second	
	\$690	inis violation rinal Assessed Penalty (adjusted for limits)	

	E	conomic	Benefit	Wo	rksheet		
Respondent	WOLFE AIRPA	RK CIVIC CLUB, I	NC.				
Case ID No.	49689	•					
Reg. Ent. Reference No.	RN101230720	1					
	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
	*******	N				5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
	500 kieses sissesside sassessessesses	000000000000000000000000000000000000000		0000000000	000000000000000000000000000000000000000		
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land		<u> </u>		0.00	\$0	n/a	<u>\$0</u>
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0 \$0	n/a	\$0
Remediation/Disposal Permit Costs		<u> </u>		0.00	\$0 \$0	n/a	\$0
Other (as needed)				0.00	\$0 \$0	r/a n/a	\$0 \$0
Notes for DELAYED costs					e accompanying P		
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterii	ng item (except	for one-time avoid	led costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]	788			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$600	1-Jan-2011	31-Dec-2014	4.92	\$148	\$600	\$748
Other (as needed)	ļ	<u> </u>		0.00	\$0	\$0	\$0
Notes for AVOIDED costs	The avoided of (\$30 per s	cost includes the e ample x 5 sample	s x 4 monitoring	j period	ollect and have all ds), calculated for e required.	lead and copper sar the monitoring perio	nples analyzed ods in which
Approx. Cost of Compliance		\$600			TOTAL		\$748

Penalty Calculation Worksheet (PCW) Policy Revision 2 (September 2002) PCW Revision October 30, 2008 Assigned 17-Nov-2014 Screening 18-Nov-2014 EPA Due 31-Mar-2013 8-Jan-2015 RESPONDENT/FACILITY INFORMATION Respondent WOLFE AIRPARK CIVIC CLUB, INC Reg. Ent. Ref. No. RN101230720 Major/Minor Source Minor Facility/Site Region 12-Houston CASE INFORMATION Enf./Case ID No. 49689 No. of Violations 2 Docket No. 2014-1735-PWS-E Order Type Findings Government/Non-Profit Yes Media Program(s) Public Water Supply Multi-Media Enf. Coordinator Alan Barraza EC's Team | Enforcement Team 3 Admin. Penalty \$ Limit Minimum \$50 Maximum \$1,000 Penalty Calculation Section \$450 TOTAL BASE PENALTY (Sum of violation base penalties) ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** 15.0% Enhancement Subtotals 2, 3, & 7 \$67 Enhancement for three NOVs with same/similar violations. Notes Culpability No 0.0% Enhancement Subtotal 4 \$0 Notes The Respondent does not meet the culpability criteria. Good Faith Effort to Comply Total Adjustments Subtotal 5 \$0 0.0% Enhancement* Subtotal 6 \$0 **Economic Benefit** Total EB Amounts \$401 *Capped at the Total EB \$ Amount Estimated Cost of Compliance SUM OF SUBTOTALS 1-7 \$517 OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% \$0 Reduces or enhances the Final Subtotal by the indicated percentage. Notes Final Penalty Amount \$517

Final Assessed Penalty

Reduction Adjustment

0.0%

\$517

\$517

\$0

STATUTORY LIMIT ADJUSTMENT

Notes

PAYABLE PENALTY

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only, e.g. 20 for 20% reduction.)

No deferral is recommended for Findings Orders.

Docket No. 2014-1735-PWS-E

PCW

Policy Revision 2 (September 2002) PCW Revision October 30, 2008

Respondent WOLFE AIRPARK CIVIC CLUB, INC.

Case ID No. 49689

Reg. Ent. Reference No. RN101230720

Media [Statute] Public Water Supply

Enf. Coordinator Alan Barraza

Compliance History Worksheet

Number of		Adjust.
Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	3	15%
Other written NOVs	0	0%
Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
		0%
Any criminal convictions of this state or the federal government (number of counts)	0	0%
Chronic excessive emissions events (number of events)	0	0%
Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Ple	ase Enter Yes or No	
Environmental management systems in place for one year or more	No	0%
Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Participation in a voluntary pollution reduction program	No	0%
Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
Adjustment Per	centage (Sub	total 2)
Adjustment Per	centage (Sub	total 3)
ry Person Classification (Subtotal 7)		
Adjustment Dor	contras (Eub	total 71
	centage (300)	iviai //
ry Summary		
Enhancement for three NOVs with same/similar violations.		
	the current enforcement action (number of NOVs meeting criteria) Other written NOVs Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria) Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government Any criminal convictions of this state or the federal government (number of counts) Chronic excessive emissions events (number of events) Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Pice Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Early compliance with, or offer of a product that meets future state or federal government environmental requirements Adjustment Per Subtotal 3) Adjustment Per Ty Person Classification (Subtotal 7)	Other written NOVs Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria) Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees meeting criteria) Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government Any criminal convictions of this state or the federal government (number of counts) Chronic excessive emissions events (number of events) Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Environmental management systems in place for one year or more No Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Adjustment Percentage (Subsovernment environmental requirements Adjustment Percentage (Subsovernment environmental requirements

Screening Date	***************************************	PCW
	WOLFE AIRPARK CIVIC CLUB, INC.	Policy Revision 2 (September 2002)
Case ID No. Reg. Ent. Reference No.		PCW Revision October 30, 2008
Media [Statute]		
Enf. Coordinator		
Violation Number		
Rule Cite(s)	30 Tex. Admin. Code § 290.117(c)(2)(D) and (i)(1)	
	Failed to collect lead and copper tap samples at the required five samp	le sites,
	have the samples analyzed at an approved laboratory, and submit the r	
Violation Description	the Executive Director by the tenth day of the month following the end monitoring period. Specifically, it was documented that the Responden	
	collect the required lead and copper samples for the January 1, 2002 t	
	December 31, 2010 nine-year reduced monitoring period.	
	Rac	e Penalty \$1,000
	Das	e reliaity \$1,000
>> Environmental, Prope	rty and Human Health Matrix	· ·
Release	Harm Major Moderate Minor	WWW.com
OR Actual		State of the State
Potential	X Percent 25%	Whitefolia
>>Programmatic Matrix Falsification	Major Moderate Minor	
	Percent 0%	
Matrix Failure to	collect lead and copper samples could expose persons served by the Facil	ity to
	tected contaminants which would exceed levels protective of human health	
	Adjustment	\$750
Common		1250
		\$250
Violation Events		
No.		
Number or	Violation Events 1 3285 Number of violation	aays
,	daily	
THE PROPERTY OF THE PROPERTY O	weekly Business	
mark only one	monthly Control of the control of th	
with an x	quarterly Violation Base semiannual	Penalty \$250
Aban	annual	
TOTAL	single event	
	One single event is recommended.	
		<u> </u>
Good Faith Efforts to Com	Defore NOV NOV to EDPRP/Settlement Offer	Reduction \$0
	Extraordinary	
поли	Ordinary	
	N/A (mark with x)	
пин	The Respondent does not meet the good faith criteria for	***
	Notes this violation.	*
жими	Violation	Subtotal \$250
	Abia dialakian	•
Economic Benefit (EB) for	this violation Statutory Limit	rest
Estimat	ed EB Amount \$234 Violation Final Pena	Ity Total \$288
7	This violation Final Assessed Penalty (adjusted fo	or limits) \$288
		9200

Violation No.	Public Water 9	Supply				Percent Interest	Years of Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment		I I		0.00	\$0	\$0	\$0
Buildings				0.00	\$0 \$0	\$0 \$0	\$0
Other (as needed)				0.00	\$0 \$0	\$0	\$0
Engineering/Construction				0.00	\$0 \$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
	B			0.00	\$0	n/a	\$0
Training/Sampling							
Training/Sampling Remediation/Disposal				0.00			
Remediation/Disposal				0.00	\$0	n/a	\$0
	Bodesessessessesses	5°. 16	ent improvemer	0.00 0.00 1.98 Its to t	\$0 \$0 \$10 he Facility's proces	n/a n/a n/a ss procedures, guida	\$0 \$0 \$10 ance, training
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	Estimated a and/or ove analyzed by t	nmount to implem ersight to ensure the Facility's labor re	ent improvemer future lead and atories and repo view date to the	0.00 0.00 1.98 its to the copper orted to	\$0 \$0 \$10 he Facility's proces samples are colle to the Executive Disated date of comp	n/a n/a n/a ss procedures, guida cted by the Facility's rector. Calculated fi lance.	\$0 \$0 \$10 ance, training s personnel, com the record
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Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated a and/or ove analyzed by t	nmount to implem ersight to ensure the Facility's labor re	ent improvemer future lead and atories and repo view date to the	0.00 0.00 1.98 its to the copper orted to estima entering 0.00 0.00	\$0 \$0 \$10 he Facility's proces samples are colle to the Executive Dil ated date of comp ng item (except \$0 \$0	n/a n/a n/a n/a ss procedures, guida cted by the Facility's rector. Calculated fi iance. for one-time avoid \$0 \$0	\$0 \$0 \$10 ince, training s personnel, rom the record ded costs) \$0 \$0
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Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	Estimated a and/or ove analyzed by t	nmount to implem ersight to ensure the Facility's labor re	ent improvemer future lead and atories and repo view date to the	0.00 0.00 1.98 hts to the copper orted to estimate entering 0.00 0.00 0.00	\$0 \$0 \$10 he Facility's proces samples are colle to the Executive Disated date of comp ng Item (except \$0 \$0 \$0	n/a n/a n/a n/a ss procedures, guidacted by the Facility's rector. Calculated friance. for one-time avoid \$0 \$0	\$0 \$0 \$10 ance, training s personnel, om the record so \$0 \$0 \$0

Respondent WOLFE AIRPARK CIVIC CLUB, INC. Policy Revision 2 (Septem.	PCW
Case ID No. 49689 PCW Revision October Reg. Ent. Reference No. RN101230720	r 30, 2008
Media [Statute] Public Water Supply	
Enf. Coordinator Alan Barraza	
Violation Number 2	
Rule Cite(s) 30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c)	
Failed to mail or directly deliver one copy of the Consumer Confidence Report ("CCR") to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data. Specifically, the Respondent did not mail or directly deliver the CCR to the bill paying customers nor did the Respondent submit the CCR or the required certification to the TCEQ for the years 2009 and 2010.	
Base Penalty	\$1,000
>> Environmental, Property and Human Health Matrix	
Harm Release Major Moderate Minor	
OR Actual Section Sect	
Potential Percent 0%	
No. Markin	
>>Programmatic Matrix Falsification Major Moderate Minor	
Percent 10%	
Matrix 1000 cuts in the second	
Notes 100% of the rule requirements were not met.	
Adjustment \$900	
	\$100
	\$100
Violation Events	
Number of Violation Events 2 730 Number of violation days	
Number of Violation Events	
daily	
weekly <u>same</u>	
mark only one quarterly Violation Base Penalty	\$200
with an x semiannual Violation Base Penalty semiannual	\$200
annual annual	
single event x	
Two single events are recommended.	
CONTRACTOR	\$0
Good Faith Efforts to Comply 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer	<u> </u>
Extraordinary	
Ordinary	
N/A x (mark with x)	
N/A x (mark with x) The Respondent does not meet the good faith criteria for this violation.	
Notes The Respondent does not meet the good faith criteria for this violation.	\$200
Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal	\$200
Notes The Respondent does not meet the good faith criteria for this violation.	\$200
Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal	\$200 \$230
Notes The Respondent does not meet the good falth criteria for this violation. Violation Subtotal Statutory Limit Test	

	E	conomic	Benefit	Wo	rksheet		
Respondent	WOLFE AIRPA	RK CIVIC CLUB, II	VC.			୦.୭.୦.୬.୬.୭.୭.୭.୭.୭.୭.୭.୭.୭.୭.୭.୭.୭.୭.୭.	- Cartina and the second secon
Case ID No.	49689						
ea. Ent. Reference No.	RN101230720	l a					
•	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
Tiolada ita.	_					5.0	15
	Ttem Cost	Date Required	Final Date	Vre	Interest Saved	Onetime Costs	EB Amount
Item Description							
ttem bescription	NO COMBINAS OF S						
Delayed Costs							
Equipment		Υ		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterii	ng item (except i	for one-time avoid	led costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
spection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$127	1-Jul-2009	18-Nov-2014	6.30	\$40	\$127	\$167
Other (as needed)				0.00	\$0	\$0	\$0
, ,							
Notes for AVOIDED costs			f the Facility an	d to th		27 connections] + \$	



CEQ Compliance History Report

PUBLISHED Compliance History Report for CN603186719, RN101230720, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, CN603186719, WOLFE AIRPARK CIVIC

Classification: NOT APPLICABLE

Rating: N/A

or Owner/Operator:

CLUB, INC.

RN101230720, WOLFE AIR PARK

Classification: NOT APPLICABLE

Rating: N/A

Complexity Points:

Regulated Entity:

N/A

Repeat Violator: N/A

CH Group:

14 - Other

Location:

LOCATED ON FREY ROAD APPROXIMATELY 200 METERS FROM THE INTERSECTION OF HAL MCLAIN ROAD AND

FREY ROAD IN MANVEL, BRAZORIA COUNTY, TEXAS

TCEQ Region:

REGION 12 - HOUSTON

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0200409

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

Rating Date: 09/01/2014

Date Compliance History Report Prepared: January 22, 2015

Agency Decision Requiring Compliance History:

Component Period Selected: January 22, 2010 to January 22, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Alan Barraza

Phone: (512) 239-4642

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

3) If YES for #2, who is the current owner/operator?

N/A

4) If YES for #2, who was/were the prior

N/A

owner(s)/operator(s)?

5) If **YES**, when did the change(s) in owner or operator

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

March 28, 2012

(995405)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

Date:

10/16/2014 (1208589)

CN603186719

Classification:

Moderate

Moderate

Self Report? Citation:

30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a) 30 TAC Chapter 290, SubChapter H 290.274(c)

Description:

CCR 2013 - The system failed to provide the Consumer Confidence Report (CCR) for 2013 to its bill-paying customers and/or the TCEQ by July 1st of the following

vear.

NO

Date:

10/23/2014 (1208589) NO

CN603186719

Classification: Moderate

Citation:

Self Report?

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLOOR MR 202014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the second quarter of 2014 within the

required timeline.

3 Date:

11/10/2014 (1208589)

CN603186719

Classification:

Self Report? NO

30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)

Description:

Citation:

30 TAC Chapter 290, SubChapter F 290.117(i)(1)

LCR RD MR YR2014 - The system failed to monitor and/or report distribution lead

and copper levels to the TCEQ for the annual reduced monitoring period from

01/01/2014 to 12/31/2014 within the required timeline.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

H. Voluntary on-site compliance assessment dates:

N/A

Participation in a voluntary pollution reduction program:

Early compliance:

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 1/22/2010 and 1/22/2015

1

Date:

12/22/2010

(1208589)

CN603186719

Classification: Moderate

Self Report?

NO

For Informational Purposes Unly

Citation:

30 TAC Chapter 290, SubChapter H 290.271(b) 30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description:

CCR 2009 - The system failed to provide the Consumer Confidence Report (CCR)

for 2009 to its bill-paying customers and/or the TCEQ by July 1st of the following

2

Date:

12/12/2011

(1208589)

CN603186719

Classification:

Moderate

Self Report?

NO

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter H 290.271(b) 30 TAC Chapter 290, SubChapter H 290.274(a) 30 TAC Chapter 290, SubChapter H 290.274(c)

Description:

CCR 2010 - The system failed to provide the Consumer Confidence Report (CCR) for 2010 to its bill-paying customers and/or the TCEQ by July 1st of the following

year.

3

Date:

06/14/2012

(1208589)

CN603186719

Classification: Moderate

Self Report?

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A) 30 TAC Chapter 290, SubChapter F 290.122(f)

Description:

JAN/2012 TCR Routine MR PN Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public

notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for failing to conduct routine coliform

monitoring for the month of 01/2012.

Date:

Citation:

06/14/2013

(1208589)

CN603186719

Classification:

Classification:

Classification:

Moderate

NO Self Report?

For Informational Purposes Only 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a)

Description:

30 TAC Chapter 290, SubChapter H 290.274(c) CCR 2011 - The system failed to provide the Consumer Confidence Report (CCR)

for 2011 to its bill-paying customers and/or the TCEQ by July 1st of the following

year.

5* Date: 11/14/2013

(1208589)

CN603186719

Moderate

Self Report? Citation:

For Informational Purposes Only 30 TAC Chapter 290, SubChapter H 290.271(b)

30 TAC Chapter 290, SubChapter H 290.274(a) 30 TAC Chapter 290, SubChapter H 290.274(c)

Description:

CCR 2012 - The system failed to provide the Consumer Confidence Report (CCR) for 2012 to its bill-paying customers and/or the TCEQ by July 1st of the following

year.

6

Date:

10/16/2014

(1208589)

CN603186719

Moderate

Self Report?

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter H 290.271(b) 30 TAC Chapter 290, SubChapter H 290.274(a)

30 TAC Chapter 290, SubChapter H 290.274(c)

Description:

CCR 2013 - The system failed to provide the Consumer Confidence Report (CCR) for 2013 to its bill-paying customers and/or the TCEQ by July 1st of the following

year.

Date:

10/23/2014

(1208589)

CN603186719

Moderate

Self Report?

NO

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5)

30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description:

DLQOR MR 2Q2014 - The system failed to monitor and/or report distribution

disinfectant residuals to the TCEQ for the second quarter of 2014 within the

required timeline.

8

Date:

11/10/2014

(1208589)

CN603186719

Classification:

Classification:

Moderate

Self Report?

NO

For Informational Purposes Only

Citation:

30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)

30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description:

LCR RD MR YR2014 - The system failed to monitor and/or report distribution lead

and copper levels to the TCEQ for the annual reduced monitoring period from

01/01/2014 to 12/31/2014 within the required timeline.

Appendix B

All Investigations Conducted During Component Period January 22, 2010 and January 22, 2015

(995405)

Item 1*

March 28, 2012**

For Informational Purposes Only

Item 2

November 12, 2014

For Informational Purposes Only

Item 3

November 14, 2014

For Informational Purposes Only

^{*} NOVs applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

^{*} No violations documented during this investigation

^{**}Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	8	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
WOLFE AIRPARK CIVIC CLUB, INC.	§	
RN101230720	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2014-1735-PWS-E

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding WOLFE AIRPARK CIVIC CLUB, INC. ("Respondent") under the authority of Tex. Health & Safety Code ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply located on Frey Road approximately 200 meters from the intersection of Hal McLain Road and Frey Road in Manvel, Brazoria County, Texas (the "Facility") that has approximately 27 service connections and serves at least 25 people per day for at least 60 days per year.

- 2. During a record review conducted from November 3, 2014 through November 14, 2014, TCEQ staff documented that the Respondent:
 - a. Did not submit a Disinfectant Level Quarterly Report ("DLQOR") to the Executive Director each quarter by the tenth day of the month following the end of the quarter. Specifically, the Respondent did not submit DLQORs for the second quarter of 2014.
 - b. Did not mail or directly deliver the Consumer Confidence Report ("CCR") to the bill paying customers nor did the Respondent submit the CCR or the required certification to the TCEQ for the years 2009 through 2013.
 - c. Did not provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to conduct routine coliform monitoring. Specifically, the Respondent did not provide a public notification for the month of January 2012.
 - d. Did not collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the Executive Director by the tenth day of the month following the end of the monitoring period. Specifically, it was documented that the Respondent did not collect the required lead and copper samples for January 1, 2011 through December 31, 2014 annual reduced monitoring periods and for the January 1, 2002 through December 31, 2010 nine-year reduced monitoring period.
- 3. The Respondent received notice of the violations on December 4, 2014.

II. CONCLUSIONS OF LAW

- 1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
- 2. As evidenced by Findings of Fact No. 2.a, the Respondent failed to submit a DLQOR to the Executive Director each quarter by the tenth day of the month following the end of the quarter, in violation of 30 Tex. ADMIN. CODE § 290.110(e)(4)(A) and (f)(3).
- 3. As evidenced by Findings of Fact No. 2.b, the Respondent failed to mail or directly deliver one copy of the CCR to each bill paying customer by July 1 of each year and failed to submit to the TCEQ by July 1 of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with compliance monitoring data, in violation of 30 Tex. Admin. Code §§ 290.271(b) and 290.274(a) and (c).

WOLFE AIRPARK CIVIC CLUB, INC. DOCKET NO. 2014-1735-PWS-E Page 3

- 4. As evidenced by Findings of Fact No. 2.c, the Respondent failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to conduct routine coliform monitoring, in violation of 30 TEX. ADMIN. CODE § 290.122(c)(2)(A) and (f).
- 5. As evidenced by Findings of Fact No. 2.d, the Respondent failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the Executive Director by the tenth day of the month following the end of the monitoring period, in violation of 30 Tex. ADMIN. CODE § 290.117(c)(2)(B) and (D) and (i)(1).
- 6. Pursuant to Tex. Health & Safety Code § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
- 7. An administrative penalty in the amount of One Thousand Four Hundred Ninety-Four Dollars (\$1,494) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Health & Safety Code § 341.049(b). The Respondent has paid the One Thousand Four Hundred Ninety-Four Dollar (\$1,494) administrative penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of One Thousand Four Hundred Ninety-Four Dollars (\$1,494) as set forth in Section II, Paragraph 7 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: WOLFE AIRPARK CIVIC CLUB, INC., Docket No. 2014-1735-PWS-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

WOLFE AIRPARK CIVIC CLUB, INC. DOCKET NO. 2014-1735-PWS-E Page 4

- 2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs, in accordance with 30 Tex. Admin. Code § 290.110;
 - ii. Mail or directly deliver one copy of the CCR prepared using the compliance monitoring data for the year 2014 to each bill paying customer and make good faith effort to deliver the CCR to non-bill paying customers, in accordance with 30 Tex. Admin. Code § 290.274;
 - iii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility, including but not limited to providing public notification regarding the failure to conduct routine coliform monitoring, in accordance with 30 Tex. ADMIN. CODE § 290.122; and
 - iv. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future lead and copper tap samples are collected, analyzed by an approved laboratory, and the results reported to the Executive Director within ten days following the end of each monitoring period, in accordance with 30 Tex. Admin. Code § 290.117.
 - b. Within 45 days after the effective date of this Agreed Order:
 - i. Submit written certification of compliance with Ordering Provision No. 2.a.i, 2.a.ii, 2.a.iii, and 2.a.iv as described in Ordering Provision No. 2.f below; and
 - ii. Submit to the Commission a copy of the CCR provided to customers of the Facility and the certification that the CCR has been distributed to the customers of the Facility and that the information in the CCR is correct and consistent with the compliance monitoring data, in accordance with 30 Tex. Admin. Code § 290.274. The copy of the CCR and certification shall be mailed to:

Public Drinking Water Section Water Supply Division, MC 155 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

WOLFE AIRPARK CIVIC CLUB, INC. DOCKET NO. 2014-1735-PWS-E Page 5

- c. Within 60 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision No. 2.b.ii., as described in Ordering Provision No. 2.f below.
- d. Within 90 days after the effective date of this Agreed Order:
 - i. Begin submitting DLQORs to the Executive Director each quarter by the tenth day of the month following the end of the quarter, in accordance with 30 Tex. Admin. Code § 290.110. This provision will be satisfied upon two consecutive quarters of compliant reporting. DLQORs shall be submitted to:

DLQOR Coordinator Water Supply Division, MC 155 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- ii. Begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the Executive Director within ten days of the month following the end of the monitoring period, in accordance with 30 Tex. Admin. Code § 290.117. This provision will be satisfied upon two compliant monitoring periods.
- e. Within 285 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision No. 2.d.i, as described in Ordering Provision No. 2.f below.
- f. Within 470 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.d.ii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

WOLFE AIRPARK CIVIC CLUB, INC. DOCKET NO. 2014-1735-PWS-E Page 6

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Public Water Supply Section Manager Water Supply Division, MC 155 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission,

WOLFE AIRPARK CIVIC CLUB, INC. DOCKET NO. 2014-1735-PWS-E Page 7

including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under Tex. Bus. Org. Code § 1.002.

9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001.142.

WOLFE AIRPARK CIVIC CLUB, INC. DOCKET NO. 2014-1735-PWS-E Page 8

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director	11)19)15 Date
behalf of WOLFE AIRPARK CIVIC CLUB, INC.	horized to agree to the attached Agreed Order on
I understand that by entering into this Agreed Owaives certain procedural rights, including, but violations addressed by this Agreed Order, notice evidentiary hearing, and the right to appeal. It an evidentiary hearing. This Agreed Order conscious of the violations set forth in this Agreed Order.	not limited to, the right to formal notice of ce of an evidentiary hearing, the right to an agree to the terms of the Agreed Order in lieu of stitutes full and final adjudication by the
 additional penalties, and/or attorney fee Increased penalties in any future enforcement Automatic referral to the Attorney General TCEQ seeking other relief as authorized 	t, may result in: y; ons submitted; neral's Office for contempt, injunctive relief, es, or to a collection agency; ement actions; eral's Office of any future enforcement actions;
Signature Signature	6-17-2015 Date
Name (Printed or typed) Authorized Representative of WOLFE AIRPARK CIVIC CLUB, INC.	Title